IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 634 OF 1981

Jamnadas Dwarkadas & Co. ...Plaintiffs
V/s.
Mewati Sons & Anr. ...Defendants

Mr.H.V. Chande for Plaintiffs.
Mr.Atul Thakker i/b. M/s. Mulla & Mulla & Cragie Blunt & Caroe for Defendants no.2.
None for defendant no.1.

CORAM : A.S. AGUIAR, J.
DATED : DECEMBER 1, 2004.

P.C. :-

1. Learned Advocates for plaintiffs and Defendant no.2 state that they have settled their disputes and file Consent Terms duly signed by the plaintiffs and defendant no.2 and their respective Advocates. Consent Terms taken on record and marked "X" for identification. Decree in terms of Consent Terms so far as defendant no.2 is concerned.

2. Defendant no.1 is absent. Although he has filed his written statement, no one has been appearing on behalf of defendant no.1. Hence, matter was directed to be kept under the caption of "Ex-parte Order" against

defendant no.1.

3. Learned Advocate for plaintiffs files list of documents alongwith original documents. Same are taken on record. The affidavit of evidence of plaintiffs is on record.

4. Accordingly, there will be decree as prayed against defendant no.1. Defendant no.1 is directed to pay to the plaintiffs the sum of Rs.1,26,366/- as per particulars of claim, Exhibit-G and further interest at the rate of 10% p.a. on Rs.1,26,366/- from the date of filing of the suit till realisation. Decree accordingly. No order as to costs.

. Suit to stand disposed of.

(A.S. AGUIAR, J.)